



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Project Number: 3010057
Applicant Name: Tracie Skiles for Seattle First Baptist Church
Address of Proposal: 1115 Harvard Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to change the existing double faced manual reader board ground sign, measuring 3'4" x 6', to a double faced electronic reader board for the Seattle First Baptist Church, a religious facility (institution) in a high rise (HR) zone.

The following approvals are required:

Variance to allow an electronic message board sign in a high rise (HR) residential zone. (SMC 23.55.022 B)

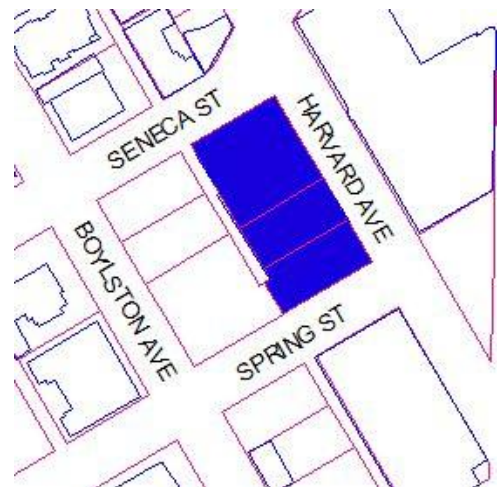
Variance to allow a sign face that exceeds twenty-four (24) square feet in a high rise (HR) zone. (SMC 23.55.022 D7)

Variance to allow a sign/free standing structure that exceeds six (6) feet in height in a required yard. (SMC 23.45.072 D 2 d)

BACKGROUND DATA

Site Description

The approximately 28,800 square foot property is located in the Capitol Hill neighborhood on Harvard Avenue between Spring Street and Seneca Street. The parcel is in a high rise (HR) residential zone. The site has a slight slope diagonally across it. There is an existing institution on the site, the Seattle First Baptist Church which was built around 1910. The Church has a small garden at the corner of Harvard and Seneca where a church sign and reader board monument is installed.



Area Development

Surrounding uses include the Seattle Polyclinic and multifamily residential buildings. The zone changes across the street where the Polyclinic is located, to Neighborhood Commercial 3 with a pedestrian overlay and 65 feet height limit (NC3P-65).

Proposal Description

The proposal is to replace the existing double faced sign monument with a new and similar monument sign. The existing sign is V-shaped with a small pillar and aedicule at the point of the "V". The proposed sign would be located on the existing concrete pad and have a bit taller pillar and aedicule. The base would be brick, similar to the existing, and the sign would be enclosed at the back and the top. The two reader boards would be replaced by two 40" x 72" LED display electronic reader boards. The proposed sign replaces an existing sign on the site. The proposed sign is very similar to the existing sign, but the corner element of the sign, which recalls some of the small church pillars nearby is taller. The existing feature is about eight feet tall and the proposed is about 10 feet tall. The main body of the sign is about six feet tall, existing and proposed.

The main body of the sign is about six feet tall. This sign is located at the corner of Harvard Avenue and Seneca Street. The sign is located in the front setback landscaping. Seneca Street is classified as an arterial as classified by Seattle Department of Transportation.

Public Comments

One public comment was received during the official public comment period which ended on May 13, 2009. The commenter pointed out the "visual chaos" and increased light pollution that electronic message boards create in a neighborhood. The commenter requested that the variance be denied.

Sign Code Analysis

The City of Seattle regulates signs pursuant to a Sign Code SMC 23.55. The structure of the Sign Code is to ban all electronic moving signs based on the City's interest in reducing driver distraction and in promoting aesthetics appropriate to each zone. As a result, different sizes and types of signs are allowed in different zones. In particular, Federal Highway administration studies show that signs with moving messages are more distracting to drivers than stationary signs and moving images are the most distracting of all. For this reason, in addition to aesthetic reasons, the City regulates these types of sign by zone.

Standards for signs are graduated in strictness from more strict in residential zones to less strict in commercial zones to least strict in industrial zones, similar to the restrictions on the types of uses that are allowed in these zones.

Churches (as institutions) are allowed as conditional uses in Multi Family zones. For institutions other than public elementary and public secondary schools, one (1) electric or non-illuminated double-faced identifying wall or ground sign is allowed on each street frontage, not to exceed twenty-four (24) square feet of area per sign face." SMC 23.55.022 D7

The code prohibits "flashing, changing image or message board signs" in Multi Family zones. An electric sign is defined as "any sign containing electrical wiring but not including signs illuminated by an exterior light source." A message board sign is defined as "an electric sign which has a reader board for the display of information, such as time, temperature, or public service or commercial messages, which can be changed through the turning on and off of

different combinations of light bulbs within the display area.” Message board signs are prohibited in all residential zones, and are allowed in the least intense commercial zones (Neighborhood Commercial 1 and 2) and in all other commercial and industrial zones. A changing image sign is not allowed in Neighborhood Commercial 1 and 2 zones and is allowed in more intense commercial zones and in industrial zones.

ANALYSIS - VARIANCES

Pursuant to SMC 23.40.020 C, variances from the provisions or requirements of this Land Use Code shall be authorized when all the facts and conditions listed below are found to exist. Analysis of the variance requested follows each statement of the required facts and conditions.

- 1. Because of the unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of the Land Use Code would deprive the property the rights and privileges enjoyed by other properties in the same zone or vicinity;***

Multi Family, Highrise (HR) Zone analysis:

The multifamily buildings are part of the Highrise zone as well as the Church property. There are no identified physically unusual conditions applicable to the subject property. The strict application of the land Use Code would deprive the property the rights and privileges enjoyed by other properties in the same zone or vicinity in that the church property has been included in the High Rise zone residential designation as an existing institution. The Church has been at this site since 1910. Zoning has evolved in the area. The Church must apply for conditional use permits to evolve as an institution or to expand. There is a legally existing sign on the site and this proposed sign upgrade will be in keeping with the institutional use and varied surroundings. The strict application of the Seattle Land Use Code would deprive the property the rights and privileges enjoyed by other properties in the same zone or vicinity.

- 2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located;***

Multi Family, Highrise (HR) Zone analysis:

The Church currently has a message board sign in the same location as the proposed electronic message board. The existing sign is manually operated, white letters hand set on a black background. Electronic message board signs are discouraged in residential zones in order to preserve the character and separation of residential and commercial uses. The requested sign height and overall area is slightly larger than the existing sign. The proposed sign will not be backlit with fluorescent lighting, but will be electronically lit (only the lettering of the message will be lit). One aspect of the proposed sign is that it will bring to the surrounding area a new electronic messaging capability.

The applicant has proposed a sign with a static message, no movement, no scrolling and no flashing or flipping words or images. There will be no messages or images on the 6 by 3 foot screens from 10 p.m. to 7 p.m., there will only be the Church name above the screen. This will be a condition of the project.

Granting the variance to install the proposed sign would not go beyond the minimum necessary to afford relief as this proposal is very similar to the existing sign. The proposed sign is designed to complement the architecture and finish materials of the church. Granting the variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located

- 3. *The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located;***

Multi Family, Highrise (HR) Zone analysis:

The proximity of the proposed sign to the Multifamily Highrise buildings is about 95 feet, and about 75 feet across Harvard Avenue to the Polyclinic. The face(s) of the sign are proposed to face Harvard and Seneca traffic and will thus face the buildings as well.

The sign proposal is very similar to the existing sign and the message will change only every 30 to 60 seconds during daytime hours (7 am to 10 pm). There will be no moving words or images. Granting the variance will not be detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located.

- 4. *The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue and unnecessary hardship or practical difficulties;***

Multi Family, Highrise (HR) Zone analysis:

The literal and strict interpretation in this case does not cause a hardship on the applicant as the right to advertise the Church's name is not precluded by the provision. Signs are permitted outright to be twenty-four (24) square feet per sign face on each street frontage.

When applying the subject variance criteria of this section to allow a static electronic message board sign in a Multi-Family zone, it appears that by not allowing the electronic message board sign the church would be able to continue to function. However, the applicant makes the following case for a new electronic message board.

The existing sign is 60 years old and has manually changeable letters that are one inch in height and are hard to read. Changing the message can take up to two hours, therefore messages are not updated. With today's technology an electronic message center [sign] will allow the church to update messages in a matter of minutes conveying current information to the community. Messages will be static and limited to activities related to the Seattle First Baptist Church.

The literal interpretation and strict application of the applicable provisions or requirements of the Land Use Code would cause undue and unnecessary hardship and practical difficulties to the Church when a simple and voluntarily conditioned (hours of use and subject matter) are available.

- 5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.***

Multi Family, Highrise (HR) Zone analysis:

In this case, the vicinity in which the sign is proposed and visible is zoned Residential across from highrise residential buildings and a medical clinic. The surrounding area is both commercial and residential in nature. Allowing an electronic message board with voluntary limitations in use would not be in opposition to the intent of the Sign Code and would be not be incompatible within the zone in which the sign is proposed. The requested variance is consistent with the spirit and purpose of the Land Use Code for the zone and area in which the proposal is located.

DECISION – VARIANCE:

Variance to allow an electronic message board sign in a high rise (HR) residential zone (SMC 23.55.022 B) is **Conditionally Approved**.

Variance to allow a sign face that exceeds twenty-four (24) square feet in a high rise (HR) zone (SMC 23.55.022 D7) is **Conditionally Approved**.

Variance to allow a sign/free standing structure that exceeds six (6) feet in height in a required yard (SMC 23.45.072 D 2 d) is **Conditionally Approved**.

CONDITIONS – VARIANCE

For the life of the project

1. The message on the sign will be a static message, no movement, no scrolling, no flashing or flipping. The message may be changed every 30 to 60 seconds. From 10:00 p.m. to 7:00 a.m., 7 days a week, the electronic screens will be dark.

Signature: _____ (signature on file) Date: July 16, 2009
Holly J. Godard, Land Use Planner
Department of Planning and Development

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